

REMARKS

I. THE RESTRICTION REQUIREMENT

The Office requires restriction of the claims to one of the following groups:

Group I, claims 1-5, 7-11, 14, 15, 19, 20, 23-25 and 31-33, drawn to an isolated nucleic acid encoding a receptor protein, the protein encoded thereby, a vector comprising the nucleic acid, a host cell comprising the vector, and methods of use;

Group II, claim 12, drawn to a transgenic animal¹;

Group III, claims 16 and 17, drawn to an antisense molecule;

Group IV, claims 21, 22, 26-29 and 35-37, drawn to a compound of unspecified constitution defined solely by a recited biological activity;

Group V, claim 30, drawn to an antibody; and

Group VI, claim 34, drawn to a receptor binding assay that does not employ a recombinant host cell.

In response, Applicants elect Group I, claims 1-5, 7-11, 14, 15, 19, 20, 23-25 and 31-33, without traverse. Applicants reserve the right to file divisional applications on the non-elected claims.

II. THE OBJECTION TO CLAIM 13

The Office Action objects to claim 13, asserting that it has improper dependency. In response, Applicants provisionally withdraw claim 13 in light of the restriction requirement.

¹ Claim 12 recites a transgenic cell, tissue or organism. Claim 13 depends from claim 12 and should therefore be included in Group II.

III. CONCLUSION

Early consideration and prompt allowance of the pending claims is respectfully requested.

Respectfully submitted,

By: Laura A. Donnelly
Laura A. Donnelly
Reg. No. 38,435

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-1729
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Serial No. 10/018,257 Docket No. JAB-1517-UGA LAD
Application of: Bender et al. By: June 7, 2004
Entitled: Cloning and Expression of a Novel 5-HT₄ Receptor

THE FOLLOWING HAS BEEN RECEIVED IN THE U.S. PATENT OFFICE ON THE DATE STAMPED HEREON:

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| <input type="checkbox"/> Oath or Declaration | <input type="checkbox"/> Drawings <u> </u> sheets |
| <input type="checkbox"/> Assignment | <input type="checkbox"/> MPEP 609/ <u> </u> |
| <input type="checkbox"/> Response | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Fee Transmittal | <input type="checkbox"/> Brief |
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| <input type="checkbox"/> PCT Filing <u> </u> | <input checked="" type="checkbox"/> Other <u>Response to Restriction Requirement</u> |
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